

REMARKS

Status Summary

Claims 1-23 are pending in the present application. No claims have been added and no claims have been canceled. Independent claims 1, 15, 22, and 23 have been amended. No new matter has been introduced by the present amendments. Therefore, upon entry of this response, claims 1-23 will remain pending. Reconsideration of the application based on the arguments presented below is respectfully requested.

Claim Rejection - 35 U.S.C. § 103

Claims 1-2, 5-9, 15-17, and 20-21 stand rejected under 35 U.S.C. § 103 as being unpatentable over U.S. Patent Application Publication No. 2005/0058061 to Shaffer et al., hereinafter referred to as "Shaffer," in view of U.S. Patent No. 6,731,678 to White et al., hereinafter referred to as "White," in further view of U.S. Patent No. 4,993,014 to Gordon, hereinafter referred to as "Gordon." The rejection is respectfully traversed.

Independent claim 1 recites an active telephony call processing host located in a first geographic region for controlling calls between telephony subscribers. Claim 1 also recites a standby telephony processing host located in a second geographic region for taking over the call control functions handled by the active telephony call processing host in the event the active telephony call processing host fails. In addition, at least one local area network (LAN), which is geographically distributed between the first and second geographic regions, is adapted to carry signaling messages to and from the active and standby telephony call processing hosts. Claim 1 has also been amended to

clarify that the geographically distributed LAN is bridged over a wide area network (WAN). Support for this amendment is found, for example, on page 9, lines 1-8 and in Figure 1. This section of applicants' specification states that a single LAN may be distributed between two completely separate sites (e.g., see site A **102** and site B **106** in Figure 1). More specifically, a particular LAN has a first side located at site A and a second side located at site B. (See page 9, lines 1-3). Interconnection between redundant telephony call processing sites (i.e., site A **102** and site B **106**) can be implemented via bridging over a WAN. Exemplary bridging of a distributed LAN (e.g., LAN1 or LAN 2) via a WAN link is shown in Figure 1. Figures 3-10 also provide additional support for communicatively coupling a geographically distributed LAN using a WAN bridge.

It is submitted that the combination of Shaffer in view of White and Gordon does not mention or suggest the geographically distributed LAN as recited in claim 1. First, Shaffer discloses a telecommunications system that includes a LAN **101** that is coupled to a variety of H.323 terminals **102a**, **102b**, a primary H.323 gatekeeper **108a**, a secondary H.323 gatekeeper **108b**, and a number of other devices. There is absolutely no mention or suggestion in Shaffer that LAN **101** is geographically distributed, much less the use of a wide area network (WAN) is to communicatively bridge a first geographic region and a second geographic region.

On page 2 of the Office Action, the Examiner states that Shaffer does not specifically disclose that the processing hosts are geographically distributed on the LAN. In order to bridge this substantial gap between Shaffer and the claimed subject

matter, the Examiner introduces White and Gordon. According to the Examiner, White discloses a LAN geographically distributed among several buildings in column 12, lines 43-45. Applicants respectfully disagree and submit that the section cited by the Examiner pertains to the use of fiber optic cables and not the geographical distribution of a LAN. Specifically, column 12, lines 41-48 states:

Fiber optic cables **206** and **208** may consist of either multi-mode or single-mode fiber optic cables, depending upon the application. Multi-mode fiber optic cables, for example, are typically used in LAN environments, between buildings on a campus, between floors within a building, and the like. On the other hand, single-mode fiber optic cables are typically used in applications that require a greater amount of bandwidth.

Applicants submit that when read in its entire context, the above passage indicates that multi-mode fiber optic cables are typically used in 1) LAN environments, 2) between buildings on a campus, 3) between floors within a building, and 4) similar expansive arrangements. It is further submitted that the above passage does not state that a LAN environment itself exists between buildings on a campus or between floors within a building. After discussing the applications of multi-mode fiber optic cables, the passage proceeds to address the use and applications of a single-mode fiber optic cable. In conclusion, it is submitted that the passage cited by the Examiner does not disclose a LAN geographically distributed among several buildings, but instead indicates a LAN environment is just one of the various applications for a multi-mode fiber optic cable. Applicants further submit that White is completely silent as to using a

wide area network (WAN) is to communicatively bridge a first geographic region and a second geographic region.

With regard to Gordon, applicants submit Gordon is directed to a dynamically shared facility network that provides private network service to a plurality of customers using switched facilities of a common carrier network. A plurality of service offices are connected via access links to customer telecommunications equipment. The Examiner cites column 10, lines 49-52 in order to show that Gordon discloses geographically distributed control nodes as set forth in claim 1. Specifically, the cited section states that Figure 17 of Gordon "shows a redundant and geographically diverse network wherein traffic over a facility containing any cable break can be routed over another facility."

Applicants submit that this section cited by the Examiner only relates to the geographic diversity of facilities. Notably, Gordon defines the facilities as a tandem office, serving office, and the like (see Figure 17). In column 5, serving offices **2, 4, 6, 8, 10, and 12** and tandem office **14** are described as toll switches. These toll switches serve the purpose of handling calls on a circuit based switching system. In contrast, the H.323 gatekeepers disclosed by Shaffer are configured to handle calls in a packet network (per the H.323 standard). Because the facilities described in Gordon are completely different from the H.323 gatekeepers taught in Shaffer, applicants submit that the two references teach away from each other and cannot be properly combined.

The Examiner's attention is directed to the fact that Gordon fails to mention a LAN that is geographically distributed, much less to using a wide area network (WAN) to

bridge the geographically distributed LAN. Because the system disclosed in Gordon does not pertain to a packet network of any type, and the fact that the only mention of a geographically diverse network relates to facilities that are not components of a LAN or a WAN, applicants respectfully submit that even if Gordon could be combined with Shaffer or White, the combination of references does not mention or suggest a geographically distributed LAN as recited in claim 1.

In light of these arguments, applicants submit that independent claim 1, in addition to independent claim 15 (which has been amended to contain similar elements), are not obvious over the combination of Shaffer, White, and Gordon and thus, the rejection under 35 U.S.C. § 103 should be withdrawn.

Claims 2, 5-9, 16-17, and 20-21 depend from independent claims 1 and 15 and recite additional features. As such and for the exact same reasons set forth above, applicants submit that claims 2, 5-9, 16-17, and 20-21 are not obvious over Shaffer, White, and Gordon. Therefore, the applicants submit that the rejection of these dependent claims under 35 U.S.C. § 103 should be withdrawn.

Claims 3-4 and 18-19 stand rejected under 35 U.S.C. § 103 as being unpatentable over Shaffer in view of White and Gordon in further view of U.S. Patent Application Publication No. 2002/0160810 to Glitho et al., hereinafter referred to as "Glitho." The rejection is respectfully traversed.

Claims 3-4 depend from claim 1 and claims 18-19 depend from claim 15. As stated above with regard to the rejection of claims 1 and 15 as unpatentable over Shaffer in view of White and Gordon, the combination of Shaffer, White, and Gordon

fails to disclose or suggest the geographically distributed LAN that is bridged over a WAN as set forth in claims 1 and 15. Glitho likewise lacks such disclosure or suggestion. Glitho is instead directed to an intelligent network service control point and method of implementing user services utilizing call processing language scripts. Thus, Glitho fails to bridge the substantial gap existing between the claimed subject matter and the combination of Shaffer, White, and Gordon. Accordingly, it is respectfully submitted that the rejection of claims 3-4 and 18-19 as being unpatentable over the combination Shaffer in view of White and Gordon in further view of Glitho should be withdrawn.

Claims 10-14 stand rejected under 35 U.S.C. § 103 as being unpatentable over Shaffer in view of White and Gordon in further view of U.S. Patent No. 6,976,087 to Westfall et al., hereinafter referred to as "Westfall." The rejection is respectfully traversed.

Claims 10-14 depend from claim 1. As stated above with regard to the rejection of claim 1 being made unpatentable over Shaffer in view of White and Gordon, the combination of Shaffer, White, and Gordon fails to teach or suggest the geographically distributed LAN that is bridged over a WAN as set forth in claims 1 and 15 as set forth in claim 1. Westfall likewise lacks such teaching or suggestion. Westfall is instead directed to a method and apparatus for configuring packet data networks to supply services to users. One embodiment automatically deploys services onto a network of routers in order to satisfy the requirements of offered service. Thus, Westfall fails to bridge the substantial gap existing between the claimed subject matter and the

combination of Shaffer, White, and Gordon. Accordingly, it is respectfully submitted that the rejection of claims 10-14 as being unpatentable over the combination Shaffer in view of White and Gordon in further view of Westfall should be withdrawn.

Claims 22 and 23 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Shaffer in view of White, Gordon, Westfall and U.S. Patent Application Publication No. 2002/0165972 to Chien et al., hereinafter referred to as "Chien." The rejection is respectfully traversed.

Claims 22 and 23 include similar patentable aspects recited in claim 1 that are not taught by Shaffer, White, Gordon, Westfall and Chien. Claim 22 recites a method for routing packets between geographically separate redundant telephony call processing hosts. Similarly, claim 23 recites a method for allocating network addresses and subnet masks to a pair of geographically separate telephony call processing hosts. Both claims 22 and claim 23 have been amended to clarify that a WAN is used to communicatively bridge the different portions of a distributed LAN. Support for the amendment is found, for example, on page 9, lines 1-8. As stated above with regard to the rejection of claim 1 being made unpatentable by Shaffer in view of White, Gordon, and Westfall, applicants submit that the combination of Shaffer, White, Gordon, and Westfall fails to teach or suggest a geographically distributed LAN, or that a WAN is used to communicatively bridge the different portions of the distributed LAN. Chien likewise lacks such teaching or suggestion. Chien is instead directed to a method and apparatus for reducing traffic over a communication link used by a computer network. Thus, Chien fails to bridge the substantial gap existing between the claimed subject

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matter and the combination of Shaffer, White, Gordon, and Westfall. Accordingly, it is respectfully submitted that the rejection of claims 22 and 23 as unpatentable over the combination Shaffer in view of White, Gordon, Westfall, and Chien should be withdrawn.

### CONCLUSION

In light of the above amendments and remarks, it is respectfully submitted that the present application is now in proper condition for allowance, and an early notice to such effect is earnestly solicited.

If any small matter should remain outstanding after the Patent Examiner has had an opportunity to review the above Remarks, the Patent Examiner is respectfully requested to telephone the undersigned patent attorney in order to resolve these matters and avoid the issuance of another Official Action.

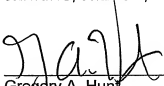
The Commissioner is hereby authorized to charge any fees associated with the filing of this correspondence to Deposit Account No. 50-0426.

Respectfully submitted,

JENKINS, WILSON, TAYLOR & HUNT, P.A.

Date: January 12, 2009

By: \_\_\_\_\_

  
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